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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 ANTICANCER, INC., a California  
11 limited liability company,  
12  
13 vs. Plaintiff,  
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15 PFIZER INC., a Delaware Corporation;  
16 CROWN BIOSCIENCE, INC., a  
California Corporation, and DOES 1-10,  
Defendants.

CASE No. 11-cv-107 JLS (RBB)

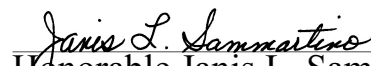
**ORDER DISMISSING WITH  
PREJUDICE ANTICANCER'S  
FIFTH CLAIM AND DENYING  
AS MOOT DEFENDANTS'  
PENDING MOTIONS FOR  
SUMMARY JUDGMENT**

(ECF No. 103, 104, 108)

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18 Presently before the Court is the Parties' Joint Stipulation of Withdrawal and  
19 Dismissal with Prejudice of AntiCancer's Fifth Claim Pursuant to FRCP 41. (ECF No.  
20 108.) Good cause appearing, the Court hereby **DISMISSES WITH PREJUDICE**  
21 Anticancer's Fifth Claim for relief in its Second Amended Complaint, for infringement  
22 of the '337 Patent against Defendants. Accordingly, the Court **DENIES** as moot  
23 Defendants' pending motions for summary judgment as to AntiCancer's Fifth Claim  
24 for Infringement of the '337 Patent. (ECF No. 103, 104.)

25 **IT IS SO ORDERED.**

26 DATED: April 20, 2015

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Honorable Janis L. Sammartino  
28 United States District Judge